

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re:

USA GYMNASTICS,¹

Debtor.

Chapter 11

Case No. 18-09108-RLM-11

**NOTICE OF PROPOSED AGENDA OF MATTERS SCHEDULED
FOR HEARING ON FEBRUARY 21, 2019 AT 1:30 P.M.**

Time and Date of Hearing: Thursday, February 21, 2019, at 1:30 p.m. (prevailing Eastern time).

Location of Hearing: Honorable Robyn L. Moberly, U.S. Bankruptcy Judge
Room 329
U.S. Bankruptcy Court for the Southern District of Indiana
46 East Ohio Street
Indianapolis, IN 46204

Copies of Documents: Copies of all documents filed in this chapter 11 case may be accessed through the case website at: <https://omnimgt.com/usagymnastics>, or by contacting the Debtor's attorneys, on PACER, or from the Clerk of the Court.

Call-In Number For Hearing: The dial-in telephone number for interested parties to participate in the hearing by conference call is 1-888-273-3658, passcode: 9247462#. All callers shall keep their phones muted unless addressing the Court. All callers must identify themselves and the party(ies) they represent when addressing the Court. Callers shall not place their phones on hold during the hearing.

Estimated Length of Hearing: 1.5 hours.

¹ The last four digits of the Debtor's federal tax identification number are 7871. The location of the Debtor's principal office is 130 E. Washington Street, Suite 700, Indianapolis, Indiana 46204.

A. UNCONTESTED MATTERS

- 1. Removal Period Extension Motion:** *Debtor's Motion For Order Extending Period Within Which It May Remove State Court Actions Pursuant To 28 U.S.C. § 1452 And Rule 9027 Of The Federal Rules Of Bankruptcy Procedure* [Dkt. 222].
 - a. Status:** This matter is going forward.
 - b. Estimated Time Required:** 5 minutes.
- 2. Pierce Atwood Employment Application:** *Debtor's Application For Order Authorizing The Debtor To Employ Pierce Atwood LLP As Ordinary Course Counsel Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date* [Dkt. 226].
 - a. Status:** This matter is going forward.
 - b. Related Documents:**
 - i. Revised Proposed Order:** *Notice Of Revised Proposed Order Authorizing Employment Of Pierce Atwood LLP* [Dkt. 265].
 - c. Estimated Time Required:** 5 minutes.
- 3. Zuckerman Spaeder Employment Application:** *Debtor's Application For Order Authorizing The Debtor To Employ Zuckerman Spaeder LLP As Ordinary Course Counsel Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date* [Dkt. 227].
 - a. Status:** This matter is going forward.
 - b. Related Documents:**
 - i. Revised Proposed Order:** *Notice Of Revised Proposed Order Authorizing Employment Of Zuckerman Spaeder LLP* [Dkt. 266].
 - c. Estimated Time Required:** 5 minutes.
- 4. Barnes & Thornburg Employment Application:** *Debtor's Application For Order Authorizing The Debtor To Employ Barnes & Thornburg LLP As Ordinary Course Counsel Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date* [Dkt. 229].
 - a. Status:** This matter is going forward.
 - b. Related Documents:**
 - i. Revised Proposed Order:** *Notice Of Revised Proposed Order Authorizing Employment Of Barnes & Thornburg LLP* [Dkt. 264].

c. **Estimated Time Required:** 5 minutes.

B. UNCONTESTED CONTINUED MATTERS

1. **Wage Motion, Supplement, & Withdrawal:** *First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 11].

a. **Status:** This matter is going forward.

b. **Related Documents:**

i. **First Interim Order:** *Interim Order Granting First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 58].

ii. **Supplement:** *Supplement To First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 135].

iii. **Second Interim Order:** *Second Interim Order Granting First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 212].

iv. **Proposed Final Order:** *Notice Of Revised Proposed Final Order Authorizing The Debtor To Pay Wages And Other Compensation Obligations* [Dkt. 263].

c. **Objections (Resolved):**

i. **Sexual Abuse Survivors Committee Objection:** *Objection Of The Additional Tort Claimants Committee Of Sexual Abuse Survivors To Debtor's First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations And The Supplement Thereto* [Dkt. 140].

- ii. **Indiana Attorney General Objection:** *Objection Of Indiana Attorney General Curtis T. Hill To Debtor's Supplement To First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Pre-Petition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 158].

d. **Replies:**

- i. **Debtor's Reply To The Sexual Abuse Survivors Committee Objection:** *Debtor's Reply In Support Of Its First Day Motion For An Order (I) Authorizing The Debtor To Pay And Honor Certain Prepetition Wages, Benefits, And Other Compensation Obligations; And (II) Authorizing Financial Institutions To Honor And Process Checks And Transfers Related To Such Obligations* [Dkt. 147].
- ii. **Withdrawal Of Supplement:** *Notice Of Withdrawal Of Supplement To First Day Wages Motion* [Dkt. 224].

e. **Estimated Time Required:** 5 minutes.

- 2. **Cash Management Motion & Supplement:** *First Day Motion For (I) Approval Of The Debtor's Continued Use Of Cash Management System; (II) Authorization To Use Pre-Petition Bank Accounts, And (III) Waiving The Requirements Of 11 U.S.C. § 345(b)* [Dkt. 12].

a. **Status:** This matter is going forward.

b. **Related Documents:**

- i. **First Interim Order:** *Interim Order Granting First Day Motion For (I) Approval Of The Debtor's Continued Use Of Cash Management System; (II) Authorization To Use Pre-Petition Bank Accounts; And (III) Waiving The Requirements Of 11 U.S.C. § 345(b)* [Dkt. 67].
- ii. **Proposed Final Order:** *Notice Of Proposed Final Order Approving Debtor's Continued Use Of Cash Management System* [Dkt. 162].
- iii. **Second Interim Order:** *Second Interim Order Granting First Day Motion For (I) Approval Of The Debtor's Continued Use Of Cash Management System; (II) Authorization To Use Pre-Petition Bank Accounts; And (III) Waiving The Requirements Of 11 U.S.C. § 345(b)* [Dkt. 211].
- iv. **Supplement:** *Supplement To First Day Motion For (I) Approval Of The Debtor's Continued Use Of Cash Management System;*

(II) Authorization To Use Pre-Petition Bank Accounts; And (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [Dkt. 225].

- v. **Proposed Final Order:** *Notice Of Revised Proposed Final Order Approving Debtor's Continued Use Of Cash Management System [Dkt. 262].*

c. **Objections (Resolved):**

- i. **Sexual Abuse Survivors Objection:** *Objection Of Sexual Abuse Survivors To First Day Motion For Approval Of The Debtor's Continued Use Of Cash Management System; (II) Authorization To Use Pre-Petition Bank Accounts; And (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [Dkt. 49].*
- ii. **United States Trustee Objection:** *United States Trustee's Objection To Debtor's Motion For (I) Approval Of The Debtor's Continued Use Of Cash Management System; (II) Authorizing Use Of Pre-Petition Bank Accounts, And (III) Waiving The Requirements Of 11 U.S.C. § 345(b) [Dkt. 53].*

d. **Estimated Time Required:** 5 minutes.

C. **CONTESTED MATTERS**

- 1. **Spencer Stuart Assumption Motion:** *Debtor's Motion For Order Authorizing The Debtor To Assume Executory Contract With Spencer Stuart Pursuant To 11 U.S.C. § 365 [Dkt. 223].*

a. **Status:** This matter is going forward.

b. **Related Documents:**

- i. **Supplement:** *Supplement To Debtor's Motion For Order Authorizing The Debtor To Assume Executory Contract With Spencer Stuart Pursuant To 11 U.S.C. § 365 [Dkt. 272].*

c. **Objections:**

- i. **Sexual Abuse Survivors Committee Objection:** *Objection Of The Additional Tort Claimants Committee Of Sexual Abuse Survivors To Debtor's Motion For Order Authorizing The Debtor To Assume Executory Contract With Spencer Stuart Pursuant To 11 U.S.C. § 365 [Dkt. 259].*

d. Replies:

- i. Debtor's Reply:** *Reply In Support Of Debtor's Motion For Order Authorizing The Debtor To Assume Executory Contract With Spencer Stuart Pursuant To 11 U.S.C. § 365 [Dkt. 267].*

e. Estimated Time Required: 15 minutes.

2. APCO Worldwide LLC Employment Application: *Debtor's Application For Order Authorizing The Debtor To Employ APCO Worldwide LLC As Ordinary Course Communications Advisor Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date [Dkt. 228].*

a. Status: This matter is going forward.

b. Objections:

- i. Sexual Abuse Survivors Committee Objection:** *Objection Of The Additional Tort Claimants Committee Of Sexual Abuse Survivors To Debtor's Application For Order Authorizing The Debtor To Employ APCO Worldwide LLC As Ordinary Course Communications Advisor Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date [Dkt. 255].*

c. Replies:

- i. Debtor's Reply:** *Reply In Support Of Debtor's Application For Order Authorizing The Debtor To Employ APCO Worldwide LLC As Ordinary Course Communications Advisor Pursuant To 11 U.S.C. § 327(b), Effective As Of The Petition Date [Dkt. 268].*

d. Estimated Time Required: 15 minutes.

3. Bar Date Motion: *Debtor's Motion For Order Establishing Deadlines For Filing Proofs Of Claim And Approving Form And Manner Of Notice Thereof [Dkt. 230].*

a. Status: This matter is going forward.

b. Objections:

- i. Kelly Doe Objection:** *Objection To Debtor's Motion For Order Establishing Deadlines For Filing Proofs Of Claim And Approving Form And Manner Of Notice Thereof [Dkt. 257].*
- ii. Sexual Abuse Survivors Committee Objection:** *Objection Of The Additional Tort Claimants Committee Of Sexual Abuse Survivors To Debtor's Motion For Order Establishing Deadlines For Filing*

Proofs Of Claim And Approving Form And Manner Of Notice Thereof [Dkt. 261].

- iii. **Indiana Attorney General Objection:** *Limited Objection Of Indiana Attorney General Curtis T. Hill To Debtor's Motion For Order Establishing Deadlines For Filing Proofs Of Claim And Approving Form And Manner Of Notice Thereof* [Dkt. 269].

c. **Replies:**

- i. **Debtor's Reply:** *Omnibus Reply In Support Of Debtor's Motion For Order Establishing Deadlines For Filing Proofs Of Claim And Approving Form And Manner Of Notice Thereof* [Dkt. 270].

- d. **Estimated Time Required:** 30 minutes.

Dated: February 19, 2019

Respectfully submitted,

JENNER & BLOCK LLP

By: /s/ Catherine Steege

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